



UNITED STATES
Patent and Trademark

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY
09/309,321	05/11/99	REYNOLDS	C 19697-40

022798 WM01/0116
LAW OFFICES OF JONATHAN ALAN QUINE
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EXAMINER

HOLLOWAY III, E

ART UNIT	PAPER NUMBER
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2635

DATE MAILED:

01/16/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/309,321

Applicant(s)

Reynolds

Examiner
Edwin C. Holloway, III

Group Art Unit
2635



☒ Responsive to communication(s) filed on Nov 3, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-21 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-21 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

EXAMINER'S RESPONSE

1. In response to applicant's amendment filed 11-3-00, all the amendments to the specification and claims have been entered.

The examiner has considered the new presentation of claims and applicant's arguments in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

INFORMATION DISCLOSURE STATEMENT

2. The information disclosure statement filed 11-3-00 fails to comply with 37 CFR 1.97(c) because it lacks a statement as specified in 37 CFR 1.97(e) and/or lacks the fee set forth in 37 CFR 1.17(p). It also fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered.

SPECIFICATION

3. The disclosure is objected to because of the following informalities: the amendment to the first paragraph includes serial numbers beginning with "29/." It should be --09/--.

Appropriate correction is required.

ART REJECTION

4. The text of those sections of Title 35, U.S. Code not

included in this action can be found in a prior Office action.

5. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over CHENG `174 (US 5644174) in combination with PULIZZI (US 5923103) and/or EEM 96 electronic engineers master catalog published by Hearst Business Communications, Inc.

CHENG `174 discloses a rack mounted universal AC sequencer for a network server. The sequencer includes first control signal (input) socket 204, second control signal (pass thru output) socket 208, status indication LED's 216, power input socket 202, switched power output sockets 130,140 controlled by control circuitry 250 including relays RLYM, RLY2. The sockets are described as universally acceptable connectors. The power out sockets and control in socket are shown on a different parallel sides in fig. 3. Filters are included to prevent interference. Although housing for the invention is not particularly discussed, col. 1 refers to prior art rack mounted power unit housing. See col. 1 lines 1-37, col. 2 line 1 - col. 6 line 55.

PULIZZI discloses a remote switched output power controller 10 including first control signal (input) sockets 142,160, second control signal (pass thru output) socket 144,162, status indication LED's 30, switched power output sockets 16 controlled by control circuitry 18 including relays 60-76. The control sockets are described as network sockets such as RJ11 for RS485, RS482 or RS232 network. Filters are included to prevent

interference. The power sockets and control in socket are shown on a different parallel side in fig. 1, a stacked housing is discussed, but a rack housing and power input socket are not described. See figs 1 and 4-5, col. 1 line 46 - col. 4 line 62, col. 5 line 48 - col. 7 line 65 and cols. 9-10.

EEM 96 discloses rack mounted remote controlled power supplies such as the MPD-100R MPD-100 IEC including a 1 3/4 inch high box housing for mounting in 1 standard rack unit, remote on/off control sockets on front and back, switched power output sockets on rear. The TPC 115-10 and TPC 115-10/MTD include the above features and indicator lights. The IPC 3202 includes all the above features except only a single input on the rear is shown. The satellite antenna lightning arrester system on page 2260 includes RJ45 phone/data sockets on a 1.75 inch rack mount unit. See pages 2260-2261, 2326-2329, 2340-2343, especially pages 2260 and 2341.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Cheng '174 to include the network socket and/or housing limitations of Pulizzi and/or EEM 96 because Cheng '174 and Pulizzi are direct to network systems with rack mount or stacked units, because EEM 96 discloses the claimed rack mount housing for analogous art remote controlled power supply including devices by Pulizzi, because rack mounts are common in computer use and because it has been held that rearranging parts of an invention involves only

routine skill in the art. *In re Japikse*, 86 USPQ 70. If the network sockets require a single network, then such would have been obvious because integration of parts is within the skill of the artisan. Further, an RJ45 connector would have been obvious in view of the RJ11 connector of Pulizzi and/or the RJ45 connector of EEM 96.

6. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over PULIZZI (US 5923103) in combination with CHENG '174 (US 5644174) and/or EEM 96 electronic engineers master catalog published by Hearst Business Communications, Inc.

PULIZZI discloses a remote switched output power controller including first control signal (input) sockets 142,160, second control signal (pass thru output) socket 144,162, status indication LED's 30, switched power output sockets 16 controlled by control circuitry 18 including relays 60-76. The control sockets are described as network sockets such as RJ11 for RS485, RS482 or RS232 network. Filters are included to prevent interference. The power sockets and control in socket are shown on a different parallel side in fig. 1, a stacked housing is discussed, but a rack housing and power input socket are not described. See figs. 1 and 4-5, col. 1 line 46 - col. 4 line 62, col. 5 line 48 - col. 7 line 65 and cols. 9-10.

CHENG '174 discloses a rack mounted universal AC sequencer for a network server. The sequencer includes first control signal (input) socket 204, second control signal (pass thru

output) socket 208, status indication LED's 216, power input
socket 202, switched power output sockets 130,140 controlled by
control circuitry 250 including relays RLYM, RLY2. The sockets
are described as universally acceptable connectors. The power
5 out sockets and control in socket are shown on a different
parallel sides in fig. 3. Filters are included to prevent
interference. Although housing for the invention is not
particularly discussed, col. 1 refers to prior art rack mounted
power unit housing. See col. 1 lines 1-37, col. 2 line 1 - col.
10 6 line 55.

EEM 96 discloses rack mounted remote controlled power
supplies such as the MPD-100R MPD-100 IEC including a 1 3/4 inch
high box housing for mounting in 1 standard rack unit, remote
on/off control sockets on front and back, switched power output
15 sockets on rear. The TPC 115-10 and TPC 115-10/MTD include the
above features and indicator lights. The IPC 3202 includes all
the above features except only a single input on the rear is
shown. The satellite antenna lightning arrester system on page
2260 includes RJ45 phone/data sockets on a 1.75 inch rack mount
20 unit. See pages 2260-2261, 2326-2329, 2340-2343, especially
pages 2260 and 2341.

It would have been obvious to one of ordinary skill in the
art at the time the invention was made to have modified Pulizzi
to include the power input socket and/or housing limitations of
25 Cheng '174 and/or EEM 96 because the power input socket as in

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Cheng '174 allows a universal connection for use in different countries, because Cheng '174 and Pulizzi are direct to network systems with rack mount or stacked units, because EEM 96 discloses the claimed rack mount hosing for analogous art remote controlled power supply including devices by Pulizzi, because rack mounts are common in computer use and because it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70. If the network sockets require a single network, then such would have been obvious because integration of parts is within the skill of the artisan. Further, an RJ45 connector would have been obvious in view of the RJ11 connector of Pulizzi and/or the RJ45 connector of EEM 96.

REMARKS

7. Applicant's arguments filed 11-3-00 have been fully considered but they are not deemed to be persuasive.

Applicant's comments regarding CHENG '455 (US 5563455), LORD (US 5198806), SINGH (US 5347167), ORTIZ (US 5198806) are moot because these Patents are no longer applied.

The arguments that the applied art lacks network signal or standard network port is not persuasive because Cheng '174 includes universally accepted internal control signal input and output connectors (col. 3 lines 36-38) and because Pulizzi includes control signal network connectors such as standard RJ11

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or RS232 connectors. Applicant's support that the Marway units in EEM 96 lack network connectors is not persuasive because the TPC units are from Pulizzi and the Pulizzi Patent clearly includes network connectors. The units of Cheng '174, Pulizzi and EEM 96 are all connected or daisy chained by control and/or signal lines which forms a network and the corresponding connectors are therefore network connectors. Although the RJ45 connector in EEM 96 is not described as for power control, such would have been obvious in view of the similarity to the modular RJ45 connector to the modular RJ11 network connector in Pulizzi. Applicant's failure to present arguments traversing the Pulizzi patent is considered an admission that the rejections based on this patent are proper.

ACTION MADE FINAL

8. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

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***** NOTICE *****
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**ANY AMENDMENT OR REQUEST FOR RECONSIDERATION IN RESPONSE TO
THIS FINAL OFFICE ACTION SHOULD BE DIRECTED TO:**

5 **Commissioner of Patents and Trademarks**

BOX AF

Washington, D.C. 20231

10 *By addressing all After Final Office action responses to the
above address, processing time of the responses is reduced. This
will result in more timely responses by the Office and should
result in fewer requests for extensions of time.*
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UPDATED CONTACT INFORMATION

15 9. Any inquiry of a general nature or relating to the status of
this application should be directed to the **Technology center 2600
receptionist** whose telephone number is **(703) 305-4700**.

20 Facsimile submissions may be sent to fax numbers **(703) 308-
9051, 308-6734 or 305-3988** which will be electronically forwarded
to customer service (contractor) to determine whether the fax is
OFFICIAL or UNOFFICIAL and E-mail a notification to the examiner.
Official faxes will be sent directly to the technical support
staff for entry. Unofficial faxes should be printed by the
office manager or SPE within two working days. **Official faxes**
are all signed faxes, which have not been marked as unofficial.
25 **Unofficial faxes** are any unsigned faxes, interview agendas, or
any paper designated by the applicant or the applicant's
attorney/agent as unofficial. Since the examiner does not have
immediate access to faxes, urgent submissions may be E-mailed to
edwin.holloway@uspto.gov.

30 Any inquiry concerning this communication or earlier
communications from the examiner should be directed to **Edwin
Holloway** whose telephone number is **(703) 305-4818**.

EH
01-15-1


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
ART UNIT 2635